

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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## THE BANK OF NEW YORK MELLON.

Case No. 2:16-cv-00478-JCM-GWF

**Plaintiff,**

V.

LAS VEGAS DEVELOPMENT GROUP  
LLC, *et al.*,

## ORDER

#### Defendants.

13        This matter is before the Court on Defendant Alessi & Koenig, LLC’s failure to retain new  
14 counsel. On July 6, 2018, the Court granted Steven Loizzi, Jr. Esq.’s Motion to Withdraw as  
15 Counsel for Defendant Alessi & Koenig, LLC and instructed Defendant to retain new counsel no  
16 later than August 3, 2018. *See* ECF No. 43. On August 21, 2018, the Court issued an Order  
17 regarding Defendant’s failure to retain new counsel and instructed Defendant to advise the Court  
18 if it will retain new counsel no later than September 3, 2018. *See* ECF No. 50. On August 23,  
19 2018, the Court withdrew its Order (ECF No. 50) because there was no indication in this matter  
20 that Defendant’s bankruptcy petition had been dismissed without discharge or that the automatic  
21 stay had been lifted. On August 31, 2018, Interested Party Shelley D. Krohn filed a Response  
22 informing the Court that the automatic stay in Defendant’s bankruptcy case was terminated for all  
23 purposes, with the exception that collection of a judgment obtained against the debtor may only  
24 be pursued in the United States Bankruptcy Court for the District of Nevada. *See* ECF No. 54.  
25 Defendant, therefore, must retain new counsel if it intends to litigate this matter. A corporation or  
26 limited liability company may appear in federal court only through licensed counsel. *U.S. v. High*  
27 *Country Broad. Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). To date, Defendant has failed to  
28 retain new counsel. Accordingly,

1           **IT IS HEREBY ORDERED** that Defendant Alessi & Koenig, LLC shall have until  
2 **September 14, 2018** to advise the Court if it will retain new local counsel. Failure to comply  
3 shall result in the issuance of an order to show cause why sanctions should not be imposed.

4           Dated this 5th day of September, 2018.

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9           GEORGE FOLEY, JR.  
10           UNITED STATES MAGISTRATE JUDGE

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